REMARKS

OBJECTION TO THE SPECIFICATION

In a Final Office Action dated July 16, 2007, the Examiner has withdrawn a prior rejection of Claims 25-30 under 35 U.S.C.§101, but now objects to the specification as failing to provide proper antecedent basis for the claimed "electronically accessible medium" recited in Claim 25 as filed and as presently presented. Applicant disagrees with the Examiner's conclusion, and directs his attention to paragraph [0080] of the specification, which describes an electronically accessible medium, namely memory, and explains that memory

> may also include one or more hard disks, floppy disks, ZIP disks, compact disks (e.g., CD-ROM), digital versatile/video disks (DVD), magnetic random access memory (MRAM) devices, and other system-readable media that store instructions and/or data,

and further explains that memory

> may store program modules such as routines, programs objects, images, data structures, program data, and other program modules that perform particular tasks or implement particular abstract data types that facilitate system use."

Applicant submits that, contrary to the Examiner's assertion, this description of memory in the specification, among others, supports the limitation "electronically accessible medium." Nevertheless, in order to advance the prosecution of this application, Applicant has amended Claim 25 to recite "computer-readable medium."

REJECTIONS UNDER 35 U.S.C. § 102

The Examiner has maintained the rejection of Claims 1-3, 5-10, 13, 15-16, 20-21, 23-26 and 28-29 under 35 U.S.C. §102(b) as being anticipated by U.S. Publication No. 2002/0091819 to Melchione et al. (Melchione). Applicant submits Claims 1-3, 5-10, 13, 15-16, 20-21, 23-26 and 28-29 are not anticipated by Melchione for at least the reasons set forth below.

Independent claim 1 has been amended to recite, in part, the following:

> 1. A computer-implemented method employed within a network having a cluster architecture comprising:
>
> displaying a hierarchical tree structure having one or more tree nodes in a graphical user interface, each of the one or more tree nodes representing a resource of an application server within a cluster of application servers, the cluster of application servers having a group of server nodes and a dispatcher in communication with a central service having a locking service and a messaging service, wherein at least one of the tree nodes represents a service of the application server …

Independent claims 10, 20 and 25 recite similar limitations.

Melchione discloses a system and method for managing devices in a network using a hierarchichal tree structure. As described in paragraph [0010] of Melchior,

> the hierarchical tree structure is based upon locations of devices in a network topology, *each device being a node in the hierarchical tree structure*, determining policies for each node in the hierarchical tree structure to be enforced by an agent corresponding to each node, the agent being in communication with the device and the resources corresponding to the device, and communicating the policy to the corresponding agent, wherein the policies corresponding to the resources of each device are selectively inherited along the hierarchical tree structure of the network directory. (Melchione, para. [0010], emphasis added)

The Examiner argues that the titles of software shown in Figs. 4 and 5 of Melchione, such as "Agent," "VirusScan for Win9x," and "Demo Application" are nodes, and therefore disclose the one or more tree nodes representing a resource of an application server as recited in Claim 1 and the other independent claims. Applicant submits that the Examiner is incorrect, and urges him to reconsider. Equating software titles with the tree nodes is simply a misinterpretation of Melchione. At best, Melchione describes a network management system to manage devices, and the tree nodes in Melchione represent devices (see paragraph [0010] of Melchione for this exact definition), and not resources of an application server as recited in the claims. Indeed, Melchione is inapplicable to the claimed embodiments of the present invention because, among other deficiencies, it discloses nothing with regard to application servers and the management of resources for application servers. Rather, Melchione describes a completely separate technology having to do with managing devices in a network.

In any event, to more quickly advance the prosecution of this application, Applicant has clarified what the recited tree nodes represent by amending the claims to more particularly point out the subject matter of the claimed embodiments of the invention. In particular, the tree nodes represent a resource of an application server within a cluster of application servers, the cluster of application servers having a group of server nodes and a dispatcher in communication with a central service having a locking service and a messaging service.

In view of the foregoing, the Applicant submits that independent Claims 1, 10, 20 and 25 are patentably distinguishable over Melchione. Claims 2-3, 5-9, 13, 15-16, 21, 23-24, 26 and 28-29 are allowable because they depend from allowable independent

Claims 1, 10, 20 and 25, and because of their additional limitations. Consequently, reconsideration and allowance of Claims 1-3, 5-10, 13, 15-16, 20-21, 23-26 and 28-29 is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected Claim 11 under 35 U.S.C. 103(a) as being unpatentable over Melchione in view of U.S. Publication No. 2001/0005201 to Digiorgio et al. (Digiorgio). The Examiner maintains that Digiorgio discloses displaying a GUI using Java Foundation Classes that uses "Swing". However, as Applicant has previously argued, whether or not Digiorgio teaches the limitations cited in the Office action, Digiorgio does not teach or disclose displaying a relationship value, for each listed service reference, wherein the relationship value is to specify whether the listed service reference is to be automatically started when the service represented by the selected tree node is started. In addition, Digiorgio does not teach or disclose tree nodes representing a resource of an application server within a cluster of application servers, the cluster of application servers having a group of server nodes and a dispatcher in communication with a central service having a locking service and a messaging service. Thus, Digiorgio fails to cure the deficiencies of Melchione. Claim 11 is allowable, at least in part, because it depends from allowable independent Claim 10, and because of its additional limitations.

The Examiner has maintained the rejection of Claim 12 under 35 U.S.C. 103(a) as being unpatentable over Melchione in view of U.S. Patent No. 6,061,721 issued to Ismael et al. (Ismael). The Examiner asserts that Ismael teaches a bean-based management system that uses managed beans to abstract, control and monitor system resources using a

graphical user interface. Whether or not Ismael actually teaches the limitations cited in the Office action, Ismael does not teach or disclose tree nodes representing a resource of an application server within a cluster of application servers, the cluster of application servers having a group of server nodes and a dispatcher in communication with a central service having a locking service and a messaging service. Thus, Ismael fails to cure the deficiencies of Melchione. Claim 12 is allowable, at least in part, because it depends from allowable independent Claim 10, and because of its additional limitations.

In view of the foregoing, reconsideration and allowance of Claims 1-3, 5-13, 15, 16, 20, 21, 23-26, 28 and 29 is respectfully requested.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, Claims 1-3, 5-13, 15, 16, 20, 21, 23-26, 28 and 29 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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